


This document was signed electronically on August 17, 2015, which may be different from its entry on the record.

IT IS SO ORDERED.

Dated: August 17, 2015




Pat E. Morgenstern-Clarren
Chief Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO
CLEVELAND

In re:)	Case No. 14-13687
)	
Patrick Hayes,)	Chapter 13
)	
Debtor.)	Judge Pat E. Morgenstern-Clarren
)	
)	<u>ORDER GRANTING AMENDED</u>
)	<u>MOTION OF GREEN TREE</u>
)	<u>SERVICING LLC FOR RELIEF FROM</u>
)	<u>STAY</u>
)	22865 Hilliard Blvd. Rocky River, Ohio
)	44116

This matter came before the Court on the Amended Motion for Relief from Stay (the “Motion”) filed by Green Tree Servicing LLC (“Movant”). (Docket 29). Movant has alleged that good cause for granting the Amended Motion exists, and that Debtor, counsel for the Debtor, the Chapter 13 Trustee, and all other necessary parties were served with the Amended Motion, and with notice of the hearing date on the Amended Motion. No party filed a response or otherwise appeared in opposition to the Amended Motion, or all responses have been withdrawn. For these reasons,

it is appropriate to grant the relief requested.

IT IS, THEREFORE, ORDERED that the Amended Motion is granted. The automatic stay imposed by § 362 of the Bankruptcy Code is terminated with respect to the Movant, its successors, and assigns.

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall discontinue all payments to Movant on its claim under the Chapter 13 Plan filed by the Debtor. Movant is directed to file a report of sale promptly following liquidation of the property located at 22865 Hilliard Blvd. Rocky River, Ohio 44116 (the “Collateral”) if any excess proceeds are received. Should Movant seek to file any unsecured deficiency claim, Movant shall do so no later than 90 days after this Order is entered. If the Collateral has not been liquidated, the deficiency claim is to be estimated.

#

SUBMITTED BY:

/s/ David J. Demers
David J. Demers, Esq. (0055423)
Cooke Demers Gleason LLC
260 Market St. Suite F
New Albany, OH 43054
(614)939-0930
ddemers@cdgattorneys.com
Attorney for Movant

Susan M. Gray, Esq.
22255 Center Ridge Rd.
Suite F
Rocky River, Ohio 44116
ecf@smgraylaw.com
Via electronic notice

Craig H. Shopneck, Trustee
BP Tower
200 Public Square, Suite 3860
Cleveland, Ohio 44114
ch13shopneck@ch13cleve.com
Via electronic notice

U. S. Trustee (Registered address)@usdoj.gov
Howard M. Metzenbaum U.S. Courthouse
201 Superior Ave. East
Ste. 441
Cleveland, Ohio 44114
Via electronic notice

Patrick Hayes
3694 West 132nd Street
Cleveland, Ohio 44111
Via ordinary mail

Ann-Marie Walker
22865 Hilliard Blvd.
Rocky River, Ohio 44116
Via ordinary mail

Vantium Capital, Inc.
7880 Bent Branch Dr.
Suite 150
Irving, TX 75063
Via ordinary mail